

Minutes Excerpt

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CITY HALL, CITY OF LODI
Monday, May 7th., 1923.

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No protests having been filed against the improvement of Stockton Avenue as undertaken under Resolution of Intention No.62, the Board proceeded with the improvement by the adoption of Resolution Ordering the Work No. 397 by the following vote:-

AYES: Trustees, Hale, Spooner, Hickok, Mettler, Shattuck.
NOES: Trustees, None. ABSENT: Trustees, None.

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R E S O L U T I O N N O . 3 9 7

Resolution Ordering the Work.
STOCKTON AVENUE

RESOLVED, that whereas the Board of Trustees of the City of Lodi, did on the 18th day of April, A.D.1923, pass its Resolution of Intention No. 62, to order the hereinafter described work to be done and improvement to be made in said City, which Resolution of Intention was duly and legally published as required by law, as

31 appears from the affidavit of publication in The Lodi News made by Delmar B. Rinfret, now on file in the office of the City Clerk of said City of Lodi; and whereas, notices of the passage of said Resolution of Intention No 62, headed, "NOTICE OF IMPROVEMENT", were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefore, and on each and every street and highway in the assessment district described in said Resolution of Intention as appears from the affidavit of F. Christesen who personally posted the same, and who, upon the completion of the posting of said notices, filed said affidavit in the office of the City Clerk, making oath that he completed the posting of said notices on the 23rd day of April, A.D.1923; and whereas, no protests or objections in writing or otherwise to the proposed work, or against the extent of the proposed district, have been delivered to, or presented to, or filed with the Clerk of this Board of Trustees of the said City of Lodi, up to the hour set for hearing protests as set forth in said Resolution of Intention, and this Board of Trustees having now acquired jurisdiction to order the proposed improvement it is hereby,-

RESOLVED, that the public interest and convenience require the work herein described and the Board of Trustees of the City of Lodi hereby order the following work to be done and improvement to be made in said City, to-wit:-

That Stockton Avenue, in said City of Lodi, from the southerly termination of the present pavement - On, or near a line 221 feet southerly from and parallel to the northerly line of Lot numbered 57 of the Lodi Barnhart Tract, as said tract is shown on that certain map entitled "Lodi Barnhart Tract" and recorded in the office of the County Recorder in Vol. 3 of Maps at Page 48, San Joaquin County Records, produced westerly across said Stockton Avenue, to the northerly line of Vine Street, including all street and alley crossings, terminations and opposite terminations within said limits.

BE IMPROVED:

(1) By grading the roadway and curb and gutter spaces of said portion of Stockton Avenue.

(2) By constructing hydraulic concrete curbs and gutters of the combined type along each side of the roadway of said portion of said Stockton Avenue.

(3) By paving the roadway of said portion of Stockton Avenue between the gutter lines, with a pavement consisting of one and one-half (1 1/2) inches of Warrenite Wearing Surface laid on an asphaltic concrete base two and one-half (2 1/2) inches in thickness.

Excepting, however, from all of the hereinabove described work such portions as may be required by law to be kept in order or repair by any person or company having railroad tracks thereon; and excepting also from all of the hereinabove described work any of said work already done to the official line and grade.

All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk, and where certain work proposed to be done on the respective streets, avenues and highways aforementioned, is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between the lines, unless otherwise shown on the plans, providing, however, that any duplication in such description may be ignored.

Attention is also called to the Warrenite License Mixture Agreement for California, executed by Warren Brothers Company, February 19, 1923, the owner and holder of the patents and processes covering the said Warrenite pavement, which agreement is on file in the office of the City Clerk and is hereby expressly referred to for greater certainty,

And, whereas, said contemplated work and improvement, in the opinion of the Board of Trustees, is of more than ordinary public benefit, said Board hereby makes the expense of said work or improvement chargeable upon a district, which district said Board hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the cost and expense thereof; which said district is bounded and described as follows:-

Commencing at a point on the Easterly line of Lot numbered 57 of the Lodi-Barnhart Tract, hereinbefore mentioned, distant thereon Southerly two hundred twenty-one (221) feet from the Northern corner of said lot and running thence Easterly on and along the said Easterly line of numbered 57 and its continuation, to an interior corner of the Northern line of Vine Street in said City of Lodi; thence Westerly on and along the said Northern line of Vine Street and its Westerly production to a point which is distant thereon two hundred eight and two hundredths (208.02) feet Westerly from the Westerly line of said Stockton Avenue; thence Northerly on a direct line to a point on a line drawn parallel to and one hundred fifty-five (155) feet Southerly from the Northerly line of Lot numbered 70 in said Lodi-Barnhart Tract, which last mentioned point on said parallel line is distant thereon one hundred eighty-two and two hundredths (182.02) feet Westerly from the Westerly line of said Stockton Avenue; thence Easterly on a direct line to the point of commencement.

Provided, nevertheless, that the streets, avenues and alleys situate within said districts, shall be omitted from any assessment made or levied for paying the costs and expenses of the above mentioned work and improvement, the said streets, avenues and alleys belonging to said City and being in use as public streets, avenues and alleys.

And it is further ordered and notice is hereby given that serial bonds to represent unpaid assessments and bear interest at the rate of seven (7) per cent per annum, will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and Acts amendatory thereto, the last installment of which bonds shall mature nine years from the 2nd day of July next succeeding nine months from their date.

This Resolution is adopted pursuant to the provisions of those certain Acts of the Legislature of the State of California designated respectively as the "Improvement Act of 1911" and the "Improvement Bond Act of 1915" and Acts Amendatory thereto.

The City Clerk is hereby directed to post a notice of said work together with the plans and specifications therefor, conspicuously for five days on or near the council chamber door, inviting sealed proposals or bids for doing the work ordered.

He is also directed to publish three times a notice inviting such proposals, and referring to the specifications posted or on file, in The Lodi News, a tri-weekly newspaper published and circulated in said City of Lodi and hereby designated for that purpose.